

EQUIPMENT AND OPERATIONAL SAFETY STANDARDS FOR BUS TRANSIT SYSTEMS

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14-90.002 Definitions.

Terms used in this Rule Chapter shall mean as defined in Section 341.031, Florida Statutes.

In addition:

(1) "Bus" means any motor vehicle, other than a taxicab, which is designed or constructed, ~~and used for the public transport of persons for compensation and.~~ ~~For purposes of this rule chapter, a bus means a public sector bus which~~ is owned, operated, leased, or controlled by a bus transit system. Buses are designated in two categories:

(a) Type I ~~means:~~ Over 22 feet in length, including bumpers.

(b) Type II ~~means:~~ 22 feet or less in length, including bumpers and. ~~This category shall include~~ paratransit type vehicles, such as minibuses, standard vans, modified vans, station wagons, and sedans.

(2) "Bus Transit System" means a community transportation coordinator; a public transit provider; or a private contract transit provider which owns, operates, leases, or controls buses or

taxicabs where such transportation consists of continuous or recurring transportation under the same contract; or a privately owned or operated transit provider that receives operational or capital funding from the Department and owns, operates, leases, or controls buses, other than nonpublic sector buses, ~~defined in Section 316.003, F.S.,~~ that provides ~~provide~~ transportation services available for use by the general riding public.

(3) "Community Transportation Coordinator" means a provider of transportation services or an entity that ensures such services are provided by another bus transit system.

(4) "Department" means the ~~State of~~ Florida Department of Transportation.

(5) "Drive" or "Operate" means ~~are terms which include~~ all time spent at the controls of a bus in operation.

(6) "Driver" means any person trained and designated to drive a bus on a street or highway ~~which is~~ being used for the public transport of persons for compensation.

(7) "FMVSS" means the Federal Motor Vehicle Safety Standards in effect at the time the bus or component is manufactured.

(8) "For Compensation" means for money, property, or ~~of~~ anything else of value whether paid, received, or realized, directly or indirectly.

(9) "Manufacturer" means the original producer of the chassis, the producer of any type of bus, or the producer of equipment installed on any bus for the purpose of transporting individuals with disabilities.

(10) "Off-Duty" means any time the driver is not on duty, required to be in readiness to work, or under any responsibility to perform work. Such time shall not be counted towards the maximum allowed on-duty hours within a 24-hour period.

~~(11)(10)~~ "On-Duty" means the status of the driver from the time he or she begins work, or is required to be in readiness to work, until the time the driver is relieved from work and all responsibility for performing work. "On-Duty" includes all time spent by the driver as follows:

(a) Waiting to be dispatched at bus transit system terminals, facilities, or other private or public property, unless the driver has been completely relieved from duty by the bus transit system.

(b) Inspecting, servicing, or conditioning any vehicle.

(c) Driving.

(d) Remaining in readiness to operate a vehicle (stand-by).

(e) Repairing, obtaining assistance, or remaining in attendance in or about a disabled vehicle.

~~(12)(11)~~ "Passenger" means a person who is on board, boarding, or alighting from a bus for the purposes of public transport.

(13) "Paratransit" means those elements of public transit which provide service between specific origins and destinations selected by the individual user with such service being provided at a time that is agreed upon by the user and the provider of the service. Paratransit service is provided by taxis, limousines, "dial-a-ride" buses, and other demand-responsive operations that are characterized by their nonscheduled, non-fixed route nature.

~~(14)(12)~~ "Safe Condition" means a condition where hazards are reduced to the lowest level feasible and through the most effective use of available resources and where substantial compliance exists with all safety rules, regulations, and requirements.

~~(15)(13)~~ "Safety Review" means an on-site assessment to determine if a bus transit system has adequate safety management controls in place and functioning in accordance with the ~~that meet~~ safety standards provided and incorporated by reference in this rule chapter.

~~(16)~~(14) "Security" means freedom from harm resulting from intentional acts against passengers, employees, equipment, and facilities.

~~(17)~~(15) "Security Program Plan" or "SPP" (~~"SPP"~~) means a document developed and adopted by the bus transit system detailing its policies, objectives, responsibilities, and procedures for the protection and defense of the system and persons from intentional acts of harm.

~~(18)~~(16) "Security Review" means an on-site assessment to determine if a bus transit system has security management controls in place and functioning in accordance with the ~~that meet~~ security requirements provided in this rule chapter.

~~(19)~~(17) "System Safety Program Plan" or "SSPP" (~~"SSPP"~~) means a document developed and adopted by the bus transit system detailing its policies, objectives, responsibilities, and procedures against injuries or damage.

~~(20)~~(18) "Taxicab" means any motor vehicle of nine passenger capacity or less, including the driver, engaged in the general transportation of persons for compensation ~~on occasional trips~~, not on a regular schedule, ~~or~~ between fixed termini, or over regular routes, where such vehicle does not provide transportation services as a result of a contractual agreement with a bus transit system.

~~(21)~~(19) "Trailer Bus" means a trailing or towed vehicle designed or used for the transportation of more than 10 persons, e.g., tram buses.

(22) "Twenty-four Hour Period" or "24-Hour Period" means the consecutive time beginning at 12:00.01a.m. to 12:00.00 a.m.

~~(23)~~(20) "Unsafe Condition" means anything ~~or circumstance~~ which endangers human life or property.

(24) “Personal electronic or electrical device” means an electronic or electrical device that was not provided by the bus transit system for business purposes.

(25) “Use of a wireless communication device” means use of a mobile telephone or other electronic or electrical device, hands-on or hands-free, to conduct an oral communication; to place or receive a telephone call; to send or read electronic mail or a text message; to play a game; to navigate the Internet; to play, view, or listen to a video; to play, view, or listen to a television broadcast; to play or listen to music; to execute a computational function, or to perform any other function that is not necessary for the health or safety of the person and that entails the risk of distracting the employee from a safety-critical task. Use of an electronic or electrical device that enhances the individual’s physical ability to perform, such as a hearing aid, is not included in this definition.

(26) “Wireless communication device” means an electronic or electrical device capable of remote communication. Examples include cell phones, personal digital assistants (PDAs) and portable computers (commonly called laptop computers).

Rulemaking Specific Authority 334.044(2), 341.061(2)(a), 341.041(3), 341.031 F.S. Law Implemented 341.041(3), 341.061(2) FS. History - New 9-7-87, Amended 11-10-92, 8-7-05, _____

14-90.004 Bus Transit System Operational Standards.

(1) Each bus transit system shall develop and adopt an SSPP that complies with or exceeds the, at a minimum, with established safety standards set forth in this rule chapter.

(a) The SSPP shall address the following safety elements and requirements:

1. Safety policies and responsibilities.
2. Vehicle and equipment standards and procurement criteria.

3. Operational standards and procedures.

4. Bus driver and employee selection.

5. Driving requirements.

6. Bus driver and employee training.

7. Vehicle maintenance.

8. Investigations of events described under subsection 14-90.004(5).

9. Hazard identification and resolution.

10. Equipment for transporting wheelchairs.

11. Safety data acquisition and analysis.

12. A wireless communication plan and procedure that provides for the safe operation of bus transit vehicles. The wireless communication plan and procedure shall assure that:

a. The use of a wireless communication device is prohibited while the transit vehicle is in motion.

b. Guidelines are developed that allow for the use of a wireless communication devices in emergency situations.

c. The use of a wireless communication device does not interfere with the operator's safety related duties.

13. Policy on the use of an electronic or electrical devices issued to the operator by the bus transit system for business related purposes.

14. Policy prohibiting the use of any personal electronic or electrical devices that could distract an operator in the performance of their safety related duties. This policy shall require that all personal electronic or electrical devices are turned off with any earpieces removed from the operator's ear while occupying the driver's seat.

15. Driver educational training program on the hazards associated with driving and utilizing electronic and electrical devices.

16. 12. Safety standards for private contract bus transit system(s) that provide(s) continuous or recurring transportation services for compensation as a result of a contractual agreement with the bus transit system.

(b) Each bus transit system shall implement and comply with the SSPP during the operation of the system.

(c) Each bus transit system shall require that all operable transit buses be inspected at least once per year ~~annually~~ in accordance with established standards.

(d) Each bus transit system shall ~~annually~~ submit an annual a safety certification to the Department verifying the following:

1. Adoption of an SSPP, which meets or exceeds the ~~in accordance, at a minimum, with~~ established standards set forth in this rule chapter.

2. Compliance with its adopted SSPP and that safety inspections have been performed at least once a year ~~annually~~ on all buses operated by the bus transit system, by persons meeting the requirements set forth in ~~of~~ Rule 14-90.009, F.A.C.

(e) Bus transit systems shall immediately suspend affected system service operations if, at any time, continued operation of the system, or a portion thereof, ~~is unsafe for passenger service~~ or poses an immediate ~~a potential~~ danger to public safety.

(2) Each bus transit system shall develop and adopt an SPP that meets or exceeds the ~~complies, at a minimum, with~~ security requirements set forth in this rule chapter. The SPP shall be adopted separately from the SSPP.

(a) The SPP shall address the following security requirements:

1. Security policies, goals, and objectives.
 2. Organization, roles, and responsibilities.
 3. Emergency management processes and procedures for mitigation, preparedness, response, and recovery.
 4. Procedures for investigation of events described under Section 14-90.004(5).
 5. Procedures for the establishment of interfaces with emergency response organizations.
 6. Procedures for interagency coordination with local law enforcement jurisdictions.
 7. Employee security and threat awareness training programs.
 8. Security data acquisition and analysis.
 9. ~~Conduct and participate in~~ Emergency preparedness drills and exercises.
 10. ~~Security R~~requirements for private contract transit ~~providers~~ provider(s) that engage in ~~provide(s)~~ continuous or recurring transportation services for compensation as a result of a contractual agreement with the bus transit system.
 11. Procedures for SPP maintenance and distribution.
- (b) Each bus transit system shall implement and comply with the SPP during the operation of the system.
- (c) Bus transit systems that engage in a contract with a private contract transit provider ~~provider(s)~~ shall:
1. Establish minimum security requirements which apply to private contract transit providers ~~provider(s)~~.
 2. Monitor and assure that each private contract transit provider complies with established security requirements during the term of the contract.

(d) ~~Disclosure.~~ Bus transit systems are prohibited by Section 119.071(3)(2), Florida Statutes, from publicly disclosing the SPP or the security portion of the SSPP, as applicable, under any circumstance.

(3) Bus transit systems shall establish criteria and procedures for the selection, qualification, and training of all drivers. The criteria shall include the following:

- (a) Driver qualifications and background checks meeting ~~with~~ minimum hiring standards.
- (b) Driving and criminal background checks for all new drivers.
- (c) Verification and documentation of valid driver licenses for all employees who drive buses.
- (d) Training and testing to demonstrate and ensure adequate skills and capabilities to safely

operate each type of bus or bus combination before driving on a street or highway unsupervised.

As a minimum requirement, ~~At a minimum,~~ drivers shall be given explicit instructional and procedural training and testing in the following areas:

- 1. Bus transit system safety and operational policies and procedures.
- 2. Operational bus and equipment inspections.
- 3. Bus equipment familiarization.
- 4. Basic operations and maneuvering.
- 5. Boarding and alighting passengers.
- 6. Operation of wheelchair lifts and other special equipment ~~and driving conditions.~~
- 7. Defensive driving.
- 8. Passenger assistance and securement.
- 9. Handling of emergencies and security threats.
- 10. Security and threat awareness.
- 11. Driving conditions.

(e) Bus transit systems shall provide written operational and safety procedures to all bus drivers before driving on streets or highways ~~a street or highway~~ unsupervised. At a minimum, ~~These~~ procedures and instructions shall address, ~~at a minimum,~~ the following:

1. Communication and handling of unsafe conditions, security threats, and emergencies.
2. Familiarization and operation of safety and emergency equipment, wheelchair lift equipment, and restraining devices.
3. Application and compliance with all applicable federal and state laws, rules, and regulations.

(f) The provisions in paragraphs (d) and (e) above shall not apply to personnel licensed and authorized by the bus transit system to drive, move, or road test a bus in order to perform repairs or maintenance services when ~~where~~ it has been determined that such temporary operation does not create ~~an~~ unsafe operating conditions ~~condition~~ or create a hazard to public safety.

(g) Bus transit systems shall maintain the following records for at least four years:

1. Records of bus driver background checks and qualifications.
2. Detailed descriptions of training administered and completed by each bus driver.
3. A record of each bus driver's duty status which shall include total days worked, on-duty hours, driving hours, and time of reporting on and off duty each day.

(h) Each bus transit system shall establish a drug-free workplace policy statement in accordance with 49 C.F.R. Part 32 ~~29~~ and a substance abuse management and testing program in accordance with 49 C.F.R. Parts 40 and 655, October 1, 2008 ~~2004~~, hereby incorporated by reference.

(i) Bus transit systems shall require that drivers write and submit a daily bus inspection report pursuant to Rule 14-90.006, F.A.C.

(4) ~~Bus Maintenance.~~ Bus transit systems shall establish a maintenance plan and procedures for preventative and routine maintenance for all buses operated. The maintenance plan and procedures shall assure that:

(a) ~~That~~ All buses operated, and all parts and accessories on such buses, including those specified in Rule 14-90.007, F.A.C., and any additional parts and accessories which may affect safety of operation, including frame and frame assemblies, suspension systems, axles and attaching parts, wheels and rims, and steering systems, are regularly and systematically inspected, maintained, and lubricated to standards that meet or exceed in accordance with the standards developed and established, at a minimum, according to the bus manufacturer's recommendations and requirements.

(b) A ~~That~~ a recording and tracking system is established for the types of inspections, maintenance, and lubrication intervals documenting ~~including~~ the date or mileage when these services are due. Required maintenance inspections shall be more comprehensive than daily inspections performed by the driver.

(c) ~~That~~ Proper preventive maintenance is performed when a bus is assigned away from the system's regular maintenance facility; or when maintenance services are performed under contract.

(d) ~~That~~ Records are maintained and provide written documentation of preventive maintenance, regular maintenance, inspections, lubrication, and repairs performed for each bus under their control. Such records shall be maintained by the bus transit system for at least four years and, at a minimum, provide ~~include at a minimum,~~ the following information:

1. Identification of the bus, the ~~including~~ make, model, and license number, or other means of positive identification and ownership.

2. Date, mileage, description, and each type of inspection, maintenance, lubrication intervals, or repair performed.

~~3. Date, mileage, and description of each inspection, maintenance, and lubrication intervals performed.~~

~~3.4.~~ If not owned by the bus transit system, the name of any person ~~or lessor~~ furnishing a any bus.

~~4.5.~~ The name and address of any entity or contractor performing an inspection, maintenance, lubrication, or repair.

(5) Each bus transit system shall investigate, or cause to be investigated, any event involving a bus or taking place on bus transit system controlled property resulting in a fatality, injury, or property damage as follows:

(a) A fatality, where an individual is confirmed dead within 30 days of a bus transit system related event, excluding suicides and deaths from illnesses.

(b) Injuries requiring immediate medical attention away from the scene for two or more individuals.

(c) Property damage to bus transit system buses ~~bus(es)~~, non-bus transit system vehicles, other bus system property or facilities, or any other property, ~~except~~ The bus transit system shall have the discretion to investigate events resulting in property damage less than \$1,000.

(d) Evacuation of a bus due to a life safety event where there is imminent danger to passengers on the bus, excluding evacuations due to operational issues.

(6) Each investigation shall be documented in a final report that includes a description of investigation activities, identified causal factors, and any identified corrective action plan.

(a) Each corrective action plan shall identify the action to be taken by the bus transit system and the schedule for its implementation.

(b) The bus transit system shall ~~must~~ monitor and track the implementation of each corrective action plan.

(7) Investigation reports, corrective action plans, and related supporting documentation shall be maintained by the bus transit system for a minimum of four years from the date of completion of the investigation.

Rulemaking ~~Specific~~ Authority 334.044(2), 341.061(1)(a), ~~341.061(2)~~ FS. Law Implemented 119.071, 341.041(3), 341.061(1)(b), ~~341.061(2)~~, 341.061(2)(a) FS. History - New 9-7-87, Amended 11-10-92, 8-7-05, 6-24-08, _____

14-90.0041 Medical Examinations for Bus Transit System Drivers.

(1) Bus transit systems shall establish medical examination requirements for all applicants to ~~for~~ driver positions and for existing drivers. The medical examination requirements shall include a pre-employment examination for applicants, an examination at least once every two years for existing drivers, and a return to duty examination for any driver prior to returning to duty after having been off duty for 30 or more days due to an illness, medical condition, or injury.

(2) Medical examinations shall ~~may~~ be performed and recorded according to qualification standards adopted by the bus transit system, provided the medical examination qualification standards adopted by the bus transit system meet or exceed those provided in Department Form Number 725-030-11, Rev. 05/09, Medical Examination Report for Bus Transit System Driver, ~~Rev. 07/05~~, hereby incorporated by reference. Copies of Form Number 725-030-11 are available from the Florida Department of Transportation, Public Transit Office, 605 Suwannee Street, Mail Station 26, Tallahassee, Florida 32399-0450 or on-line at: www.dot.state.fl.us/transit.

(3) Medical examinations shall be performed by a Doctor of Medicine or Osteopathy, Physician Assistant, or Advanced Registered Nurse Practitioner licensed or certified by the State of Florida. If medical examinations are performed by a Physician Assistant or Advanced Registered Nurse Practitioner, they must be performed under the supervision or review of a Doctor of Medicine or Osteopathy. ~~and in accordance.~~

(a) An ophthalmologist or optometrist licensed by the State of Florida may perform as much of the medical examination as pertains to visual acuity, field of vision, and color recognition.

(b) Upon completion of the medical examination, the examiner shall complete, sign, and date the medical examination form ~~certificate~~ and maintain the original at his or her office.

(c) Upon completion of the medical examination, the examiner shall complete, sign, and date the medical examination certificate and provide a copy to the driver's employer. If the transit agency decides to adopt qualification standards other than those listed in Department form 725-030-11, the adopted standard's medical examination certificate or a signed letter from the medical examiner attesting to the completion of a medical examination, shall ~~may~~ be given to the transit agency in lieu of the Department's medical examination certificate. The adopted standards medical certification or letter must provide all information as ~~contains all items~~ required on the Department's medical examination certificate ~~are contained~~.

(d) Upon completion of the medical examination the driver shall provide their driver license number, signature, and date on the medical examination certificate.

(4) Bus transit systems shall have on file ~~proof of a medical examination, i.e.,~~ a completed and signed medical examination certificate ~~report~~ for each bus driver, dated within the past 24 months. ~~Medical examination reports certificates of employee bus drivers shall be maintained by the bus transit system for a minimum of four years from the date of the examination.~~

(a) Medical examination certificates of employee bus drivers shall be maintained by the bus transit system for a minimum of four years from the date of the examination.

(b) Bus Transit Systems shall not allow a driver to operate a transit bus without having on file a completed medical examination certificate dated within the past 24 months.

Rulemaking Specific Authority 334.044(2), 341.061(1)(a), ~~341.061(2)(a)~~ FS. Law Implemented 334.044(12), 341.041(3), 341.061(1)(a), 341.061(1)(b), ~~341.061(2)~~ FS. History - New 11-10-92, 8-7-05, 6-24-08, _____

14-90.006 Operational and Driving Requirements.

(1) Bus transit systems shall not permit a driver to drive a bus when such driver's license has been suspended, cancelled, or revoked. Bus transit systems shall require a driver who receives a notice that his or her license to operate a motor vehicle has been suspended, cancelled, or revoked to notify his or her employer of the contents of the notice immediately, no later than the end of the business day following the day he or she received the notice.

(2) Buses shall be operated at all times in compliance with applicable traffic regulations, ordinances, and laws of the jurisdiction in which they are being operated.

(3) A driver shall not be permitted or required to drive more than 12 hours in a any 24-hour period, or drive after having been on duty for 16 hours in a any 24-hour period. A driver shall not be permitted to drive until the requirement of a minimum eight consecutive hours of off-duty time has been fulfilled. A driver's work period shall begin from the time he or she first reports for duty to his or her employer. A driver is permitted to exceed his or her regulated hours in order to reach a regularly established relief or dispatch point, provided the additional driving time does not exceed one hour.

(4) To ensure uniform interpretation of rule 14-90.002(10), 14-90.002(11), 14-90.002(22), and 14-90.006(3), F.A.C., the following practical applications are provided:

(a) A driver is required to drive from 4 a.m.-8 a.m., off-duty from 8 a.m.-3 p.m., then required to drive from 3 p.m.-11 p.m. Driving hours and on-duty hours are the same. 4 hours + 8 hours = 12 hours driving. This driver has met the maximum allowed driving hours within ~~one~~ a 24-hour period and cannot be permitted or required to drive until a minimum eight consecutive hours off-duty has been fulfilled. This driver cannot be permitted or allowed to drive before 7 a.m.

(b) A driver is required to drive from 4 a.m.-8 a.m., off-duty from 8 a.m.-11 a.m., then required to be on-duty, not driving, from 11 a.m.-11 p.m. Driving hours = 4 hours and on-duty not driving hours = 12 hours for a total of 16 hours on-duty. This driver has met the maximum allowed on-duty hours within a 24-hour period and cannot be permitted or required to drive until a minimum eight consecutive hours off-duty has been fulfilled. This driver cannot be permitted or allowed to drive before 7 a.m.

(c) A driver is required to be on-duty, not driving, from 4 a.m.-8 a.m., off-duty from 8 a.m.-11 a.m., then on-duty, not driving from 11 a.m.-11 p.m. On-duty not driving hours = 4 hours + 12 hours for a total of 16 hours on-duty. This driver has met the maximum allowed on-duty hours within a 24-hour period and cannot be permitted or required to drive until a minimum eight consecutive hours off-duty has been fulfilled. The driver cannot be permitted or allowed to drive before 7 a.m.

(d) A driver is required to be on-duty, not driving, from 4 a.m.-8 a.m., then off-duty from 8 a.m.-11 a.m., then on-duty, driving, from 11 a.m.-11 p.m. On-duty, not driving hours = 4 hours and on-duty driving hours = 12 hours for a total of 16 hours on-duty. This driver has met the

maximum allowed driving and on-duty hours within a 24-hour period and cannot be permitted or required to drive until a minimum eight consecutive hours off-duty has been fulfilled. This driver cannot be permitted or allowed to drive before 7 a.m.

(5) A driver shall not be permitted or required to be on-duty more than 72 hours in any period of seven consecutive days; however, any 24 consecutive hours of off-duty time shall constitute the end of any such period of seven consecutive days. A driver who has reached the maximum 72 hours of on-duty time during the seven consecutive days shall be required to have a minimum 24 consecutive hours off-duty prior to returning to on duty status.

(6) A driver is permitted to drive for more than the regulated hours for the safety and protection of the public when ~~due to~~ conditions such as adverse weather, disaster, security threat, a road or traffic condition, medical emergency, or an accident occur.

(7) Bus transit systems shall not permit or require any driver to drive a bus when his or her ability is impaired, or likely to be impaired, by fatigue, illness, or other causes, likely as to create ~~an make it unsafe condition for the driver to begin or continue driving.~~

(8) Bus transit systems shall require pre-operational or daily inspection and reporting of all defects and deficiencies likely to affect safe operation or cause mechanical malfunctions.

(a) An inspection or test shall be made of the following parts and devices to ascertain that they are in safe condition and in good working order:

1. Service brakes.
2. Parking brakes.
3. Tires and wheels.
4. Steering.
5. Horn.

6. Lighting devices.
7. Windshield wipers.
8. Rear vision mirrors.
9. Passenger doors.
10. Exhaust system.
11. Equipment for transporting wheelchairs.
12. Safety, security, and emergency equipment.

(b) Bus transit systems shall review daily inspection reports and document corrective actions taken as a result of any deficiencies identified by daily inspections.

(c) Bus transit systems shall retain records of daily bus inspections and any corrective action documentation a minimum of two weeks.

(9) A bus with any passenger doors in the open position shall not be operated with passengers aboard. The doors shall not be opened until the bus is stopped. A bus with any inoperable passenger door doors shall not be operated with passengers aboard, except to move a bus to a safe location.

(10) During darkness, interior lighting and lighting in stepwells on buses shall be sufficient for passengers to enter and exit safely.

(11) Passengers ~~Passenger(s)~~ shall not be permitted in the stepwells ~~stepwell(s)~~ of any bus while the bus is in motion, or to occupy an area forward of the standee line.

(12) Passengers ~~Passenger(s)~~ shall not be permitted to stand on buses not designed and constructed for that purpose.

(13) Buses shall not be refueled in a closed building. The fueling of buses when passengers are being carried shall be reduced to the minimum number of times necessary during such transportation.

(14) ~~The B~~ bus transit systems ~~system~~ shall require the driver to be properly secured to the driver's seat with a restraining belt at all times while the bus is in motion.

(15) Buses shall not be left unattended with passenger(s) aboard for longer than 15 minutes. The parking or holding brake device shall ~~must~~ be properly set at any time the bus is left unattended.

(16) Buses shall not be left unattended in an unsafe condition with passengers ~~passenger(s)~~ aboard at any time.

Rulemaking Specific Authority 334.044(2), 341.041(3), 341.061(2)(a) FS. Law Implemented ~~341.041(3)~~, 341.061(2) FS. History - New 9-7-87, Amended 5-31-89, 11-10-92, 8-7-05, 6-24-08, _____

14-90.007 Vehicle Equipment Standards and Procurement Criteria.

(1) Every bus transit system shall ensure that buses procured and operated meet the following minimum standards: ~~at a minimum, as applicable~~:

(a) The capability and strength to carry the maximum allowed load and not exceed the manufacturer's gross vehicle weight rating (GVWR), gross axle weighting, or tire rating.

(b) Structural integrity that mitigates or minimizes the adverse effects of collisions.

(c) Federal Motor Vehicle Safety Standards (FMVSS), 49 C.F.R. Part 571, Sections 102, 103, 104, 105, 108, 207, 209, 210, 217, ~~220, 221, 225~~, 302, 403, and 404, October 1, 2008 ~~2004~~, hereby incorporated by reference.

(2) Proof of strength and structural integrity tests on new buses procured shall be submitted by manufacturers or bus transit systems to the Department.

(3) In addition to the above, every bus operated in this state shall be equipped as follows:

(a) Mirrors. There ~~shall must~~ be two exterior rear vision mirrors, one at each side. The mirrors shall be firmly attached to the outside of the bus and ~~so~~ located ~~as~~ to reflect to the driver a view of the highway to the rear along both sides of the vehicle. Each exterior rear vision mirror, on Type I buses, shall have a minimum reflective surface of 50 square inches, ~~and~~ The right (curbside) mirror shall be located on the bus so that, if it extends more than six inches outside the center of the right (curbside) front wheel hub, it shall be located on the bus so that the lowest part of the mirror and its mounting is a minimum 80 inches above the ground. Type I buses used exclusively for paratransit services are exempt from the minimum 80 inch mirror height requirement. ~~the lowest part of the mirror and its mounting is a minimum 80 inches above the ground,~~ All Type I buses shall, in addition to the above requirements, be equipped with an inside rear vision mirror capable of giving the driver a clear view of seated and ~~or~~ standing passengers. Buses having a passenger exit door that is located inconveniently for the driver's visual control shall be equipped with additional interior mirror(s) to enable ~~enabling~~ the driver to view the passenger exit door. ~~The exterior right (curbside) rear vision mirror and its mounting on Type I buses may be located lower than 80 inches from the ground, provided such buses are used exclusively for paratransit services, as defined in Section 341.031, Florida Statutes.~~ In lieu of interior mirrors, trailer buses and articulated buses may be equipped with closed circuit video systems or adult monitors in voice control with the driver.

(b) Wiring and Batteries ~~Battery~~. Electrical wiring shall be maintained so as not to come in contact with moving parts, ~~or~~ heated surfaces, or be subject to chafing or abrasion which may

cause insulation to become worn. Every Type I bus manufactured on or after February 7, 1988, shall be equipped with a storage ~~battery~~ battery(ies) electrical power main disconnect switch.

The disconnect switch shall be practicably located in an accessible location adjacent to or near to the ~~battery~~ battery(ies) and be legibly and permanently marked for identification. Every storage battery on ~~a each~~ public-sector bus shall be mounted with proper retainment devices in a compartment which provides adequate ventilation and drainage.

(c) Brake Interlock Systems. All Type I buses having a rear exit door shall be equipped with a rear exit door/brake interlock that automatically applies the ~~brake~~ brake(s) upon driver activation of the rear exit door to the open position. ~~Brake i~~nterlock ~~brake~~ application shall remain activated until ~~deactivated~~ deactivation by the driver and the rear exit door returns to the closed position. The rear exit door ~~brake~~ interlock on such buses shall be equipped with an identified override switch enabling emergency release of the ~~brake~~ interlock function. The override switch,~~which~~ shall not be located within reach of the seated driver. Air pressure application to the ~~brake~~ brake(s) during ~~brake~~ interlock operation, on buses equipped with rear exit door/brake interlock, shall be regulated at the equipment's original ~~equipment~~ manufacturer's specifications.

(4) Standee Line and Warning. Every bus designed and constructed to allow standees shall be plainly marked with a line of contrasting color at least two inches wide, or be equipped with some other means to indicate that all passengers are ~~any passenger is~~ prohibited from occupying a space forward of a perpendicular plane drawn through the rear of the driver's seat and perpendicular to the longitudinal axis of the bus. A sign shall be posted at or near the front of the bus stating that it is a violation for a bus to be operated with passengers occupying an area forward of the line.

(5) Handrails and Stanchions. Every bus designed and constructed to allow standees shall be equipped with overhead handrails ~~grab rails~~ for standee passengers. Overhead handrails ~~handgrab rails~~ shall be continuous, except for a gap at the rear exit door, and terminate into vertical stanchions or turn up into a ceiling fastener. Every Type I and Type II bus designed for carrying more than 16 passengers shall be equipped with handrails ~~grab handles~~, stanchions, or bars at least 10 inches long and installed to permit safe on-board circulation, seating and standing assistance, and boarding and alighting ~~unboarding~~ by elderly and handicapped persons. Type I buses shall be equipped with a safety bar and panel directly behind each entry and exit stepwell.

(6) Flooring, Steps, and Thresholds. Flooring, steps, and thresholds on all buses shall have slip resistant surfaces without protruding or sharp edges, lips, or overhangs, in order to prevent tripping hazards. All step edges and thresholds shall have a band of color(s) running the full width of the step or edge which contrasts with the step tread and riser, either light-on-dark or dark-on-light.

(7) Doors. Power activated doors on all buses shall be equipped with a manual device designed to release door closing pressure.

(8) Emergency Exits. All buses shall have an emergency exit door, or in lieu thereof, shall be provided with emergency escape push-out windows. Each emergency escape window shall be in the ~~a~~ form of a parallelogram with dimensions ~~of~~ not less than 18" by 24", and each shall contain an area of not less than 432 square inches. There shall be a sufficient number of ~~such~~ push-out or kick-out windows in each vehicle to provide a total escape area equivalent to 67 square inches per seat, including the driver's seat. No less than 40% of the total escape area shall be on one side of the vehicle. Emergency escape kick-out or push-out windows and emergency exit doors shall be conspicuously marked with ~~by~~ a sign or light and shall always be kept in good working

order so that they may be readily opened in an emergency. All such windows and doors shall not be obstructed, ~~by bars or other such means located~~ either inside or outside, so as to hinder escape. Buses equipped with an auxiliary door for emergency exit shall be equipped with an audible alarm and light indicating to the driver when a door is ajar or opened while the engine is running. Supplemental security locks operable by a key are prohibited on emergency exit doors unless these security locks are equipped and connected with an ignition interlock system or an audio visual alarm located in the driver's compartment. Any supplemental security lock system used on emergency exits shall be kept unlocked whenever a bus is in operation.

(9) Tires and Wheels. Tires shall be properly inflated in accordance with manufacturer's recommendations.

(a) No bus shall be operated with a tread groove pattern depth:

1. Less than $\frac{4}{32}$ ($\frac{1}{8}$) of an inch, measured at any point on a major tread groove for tires on the steering axle of all buses. The measurements shall not be made where tie bars, humps, or fillets are located.

2. Less than $\frac{2}{32}$ ($\frac{1}{16}$) of an inch, measured at any point on a major tread groove for all other tires of all buses. The measurements shall not be made where tie bars, humps, or fillets are located.

(b) No bus shall be operated with recapped, regrooved, or retreaded tires on the steering axle.

(c) Wheels shall be visibly free from cracks and distortions ~~distortion~~ and shall not have missing, cracked, or broken mounting lugs.

(10) Suspension. The suspension system of all buses, including springs, air bags, and all other suspension parts ~~as applicable~~, shall be free from cracks, leaks, or any other defect which ~~would or~~ may cause its impairment or failure to function properly.

(11) Steering and Front Axle. The steering system of all buses shall have no indication of leaks which would or may cause its impairment to function properly, and shall be free from cracks and excessive wear of components that ~~would or~~ may cause excessive free play or loose motion in the steering system or above normal effort in steering control.

(12) Seat Belts. Every bus shall be equipped with an adjustable driver's restraining belt in compliance with the requirements of FMVSS 209, "Seat Belt Assemblies" (49 C.F.R. 571.209), October 1, 2008, and FMVSS 210, "Seat Belt Assembly Anchorages" (49 C. F. R. 571.210), October 1, 2008, hereby incorporated by reference.

(13) Safety Equipment. Every bus shall be equipped with one fully charged dry chemical or carbon dioxide fire extinguisher, having at least a 1A:BC rating, and bearing the label of Underwriter's Laboratory, Inc. The fire extinguishers shall be maintained as follows:

(a) Each fire extinguisher shall be securely mounted on the bus in a conspicuous place or in a clearly marked compartment and be readily accessible.

(b) Each fire extinguisher shall be maintained in efficient operating condition and be equipped with some means of determining if it is fully charged.

(c) Every Type I bus shall be equipped with portable red reflector warning devices in compliance with Section 316.300, F.S.

(14) Persons with Disabilities. Buses used for the purpose of transporting persons with disabilities shall meet the requirements set forth in 49 C.F.R. Part 38, October 1, 2008 ~~2004~~, hereby incorporated by reference, as well as ~~and~~ the following:

(a) Installation of a wheelchair lift or ramp shall not cause the manufacturer's GVWR, gross axle weight rating, or tire rating to be exceeded.

(b) Except in locations within 3 1/2 inches of the bus floor, all readily accessible exposed edges or other hazardous protrusions of parts of wheelchair lift assemblies or ramps that are located in the passenger compartment shall be padded with energy absorbing material to mitigate injury in normal use and in case of a collision. This requirement shall also apply to parts of the bus associated with the operation of the lift or ramp.

(c) The controls for operating the lift shall be at a location where the bus driver or lift attendant has a full view, unobstructed by passengers, of the lift platform, its entrance and exit, and the wheelchair passenger, either directly or with partial assistance of mirrors. Lifts located entirely to the rear of the driver's seat shall not be operable from the driver's seat, but shall have an override control at the driver's position that can be activated to prevent the lift from being operated by the other controls (except for emergency manual operation upon power failure).

(d) The installation of the wheelchair lift or ramp and its controls and the method of attachment in the bus body or chassis shall not diminish the structural integrity of the bus nor cause a hazardous imbalance of the bus. No part of the assembly, when installed and stowed, shall extend laterally beyond the normal side contour of the bus, nor vertically beyond the lowest part of the rim of the wheel closest to the lift.

(e) Each wheelchair lift or ramp assembly shall be legibly and permanently marked by the manufacturer or installer with the following ~~minimum~~ information:

1. The manufacturer's name and address.
2. The month and year of manufacture.
3. A certificate that the wheelchair lift or ramp securement devices, and their installation, conform to State of Florida requirements applicable to accessible buses.

(15) Wheelchairs. Wheelchair lifts, ramps, securement devices, and restraints shall be inspected and maintained as required ~~by~~ in this rule chapter. Instructions for normal and emergency operation of the lift or ramp shall be carried or displayed in every bus.

Rulemaking Specific Authority 334.044(2), 341.041(3), 341.061(2)(a) FS. Law Implemented ~~341.041(3)~~, 341.061(2)(a) FS. History - New 9-7-87, Amended 11-10-92, 8-2-94, 8-7-05, 6-24-08, _____.

14-90.009 Bus Safety Inspections.

(1) Each bus transit system shall require that all buses operated by such bus transit system, and all buses operated by a private contract transit provider, be inspected at least annually in accordance with bus inspection procedures set forth in this rule.

(2) It shall be the bus transit system's responsibility to ensure that each individual performing a bus safety inspection is qualified as follows:

(a) Understands the requirements set forth in this rule chapter, ~~and~~ can identify defective components.

(b) Is knowledgeable of and has mastered the methods, procedures, tools, and equipment used when performing an inspection.

(c) Has at least one year of training and/or experience as a mechanic or inspector in a vehicle maintenance program, and has sufficient general knowledge of buses owned and operated by the bus transit system to recognize deficiencies or mechanical defects.

(3) Each bus receiving a safety inspection shall be checked for compliance with the ~~safety devices and equipment~~ requirements for safety devices and equipment, as referenced or specified herein. Specific operable equipment and devices as required by this rule chapter, include the following (as applicable to Type I and II buses ~~bus(es)~~):

- (a) Horn.
- (b) Windshield wipers.
- (c) Mirrors.
- (d) Wiring and batteries ~~battery(ies)~~.
- (e) Service and parking brakes.
- (f) Warning devices.
- (g) Directional signals.
- (h) Hazard warning signals.
- (i) Lighting systems and signaling devices.
- (j) Handrails and stanchions.
- (k) Standee line and warning.
- (l) Doors and brake interlock devices.
- (m) Stepwells and flooring.
- (n) Emergency exits.
- (o) Tires and wheels.
- (p) Suspension system.
- (q) Steering system.
- (r) Exhaust system.
- (s) Seat belts.
- (t) Safety equipment.
- (u) Equipment for transporting wheelchairs.
- (v) Working speedometer.

(4) A safety inspection report shall be prepared by the individual(s) performing the inspection and ~~which~~ shall include the following:

- (a) Identification of the individual(s) performing the inspection.
- (b) Identification of the bus transit system operating the bus.
- (c) The date of the inspection.
- (d) Identification of the bus inspected.
- (e) Identification of the equipment and devices inspected, including the identification of equipment and devices found deficient or defective.
- (f) Identification of corrective action(s) for any deficient or defective items found and date(s) of completion of corrective action(s).

(5) Records of annual safety inspections and documentation of any required corrective actions shall be retained a minimum of four years by the bus transit system for compliance review.

Rulemaking Specific Authority 334.044(2), 341.041(3), 341.061(2)(a) FS. Law Implemented ~~341.041(3)~~, 341.061(2) FS. History - New 9-7-87, Amended 11-10-92, 8-7-05, ____.

14-90.010 Certification.

(1) Each bus transit system shall annually submit a safety and security certification to the Department. The certification shall be submitted no later than February 15, ~~annually~~ for the prior calendar year period. The certification shall attest to the following:

- (a) The adoption of an SSPP and an SPP in accordance, ~~at a minimum,~~ with established standards set forth in this rule chapter.
- (b) Compliance with its adopted SSPP and SPP.

(c) Performance of safety inspections on all buses operated by the system in accordance with this rule chapter.

(d) Reviews of the SSPP and SPP have been conducted to ensure they are up to date.

(2) The certification shall include:

(a) The name and address of the bus transit system; and the name and address of the entity(ies) performing the who performed ~~(have)~~ which has ~~(have)~~ performed bus safety inspections and security assessments during the prior calendar year, if different from that of the bus transit system.

(b) A statement signed by an officer or person directly responsible for management of the bus transit system attesting to compliance with this rule chapter.

Rulemaking Specific Authority 334.044(2), 341.041(3), 341.061(1)(a)(2)(a) FS. Law Implemented 334.044(28), ~~341.041(3)~~, 341.061(1), 341.061(2) FS. History - New 9-7-87, Amended 8-7-05, _____.

14-90.012 Safety and Security Inspections and Reviews.

(1) The Department, or its contractor, shall ~~or its designee, is authorized~~ to conduct inspections of bus transit systems to ascertain compliance with the provisions of this rule chapter.

(2) The Department, or its contractor, shall ~~or its designee, is authorized to may~~ conduct a safety and security reviews ~~review(s)~~ of any bus transit system ~~which~~ the Department believes to be in noncompliance with its SSPP or SPP, ~~and~~ or providing passenger service operations in an unsafe manner, or if there is evidence of an immediate danger to public safety. The Department shall prepare and submit a report of the review to the affected bus transit system. The report shall

be submitted to the bus transit system within ~~three-business~~ thirty calendar days of completion of the review and shall contain the following:

(a) Identification of the findings, including a detailed description of any deficiency ~~the deficiency(ies)~~.

(b) Required corrective action ~~action(s)~~ and a schedule for implementation of the corrective action to be taken for each deficiency ~~action(s)~~.

(c) Any required ~~requirements~~ for suspension of bus transit system service, should the Department determine the continued operation of the service, or a portion thereof, poses an immediate danger to public safety.

(3) The Department shall initiate the following actions to suspend the affected bus transit system service if any deficiency ~~specific deficiency(ies)~~ or unsafe condition ~~condition(s)~~ exists, to the extent that the continued operation of the system, or a portion thereof, poses an immediate ~~is not safe for passenger service or is posing a potential~~ danger or threat to public safety.

(a) Immediately notify the affected bus transit system of the unsafe condition ~~condition(s)~~, followed by a certified letter describing the deficiency ~~specific deficiency(ies)~~ or unsafe condition ~~conditions~~. The notification shall include the following:

1. ~~The r~~Required corrective actions for the deficiency ~~specific deficiency(ies)~~ or unsafe condition ~~condition(s)~~.

2. ~~The r~~Requirements for the bus transit system to certify, in writing to the Department, the ~~of~~ completion of the required corrective action ~~action(s)~~ in accordance with an established implementation schedule.

(b) Conduct an on-site review of the bus transit system to verify the correction of the ~~deficiency specific deficiency(ies)~~ in accordance with this rule and the established implementation schedule.

(c) Suspend affected passenger service operations if the bus transit system fails to correct the ~~deficiency specific deficiency(ies)~~ in accordance with this rule and the established implementation schedule.

Rulemaking ~~Specific~~ Authority 334.044(2), 341.041(3), 341.061(2)(a) FS. Law Implemented 334.044(28), 341.041(3), 341.061(1)(d), 341.061(2)(c), ~~341.061(1)(d)~~ FS. History - New 11-10-92, Amended 8-7-05, _____